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14 *Attorneys for Plaintiff-Relator Jack Waters*

15
 16 **UNITED STATES DISTRICT COURT**
 17 **EASTERN DISTRICT OF CALIFORNIA**

18
 19 UNITED STATES OF AMERICA ex rel.
 JACK WATERS.
 20
 Plaintiffs,
 21
 v.
 22 ENVISION HEALTHCARE
 CORPORATION, ET AL.,
 23
 Defendants.
 24
 25
 26

Case No. 2:19-cv-0873-TLN

**STIPULATION AND ORDER
 EXTENDING TIME TO RESPOND TO
 FIRST AMENDED COMPLAINT AND
 SETTING BRIEFING SCHEDULE**

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1 WHEREAS, Plaintiff-Relator Jack Waters (“Plaintiff”) filed his Complaint under seal on
2 May 15, 2019 (ECF No. 1) and the Complaint was unsealed on October 18, 2021 (ECF No. 18);

3 WHEREAS, Defendants Envision Healthcare Corporation, et al. (“Defendants”) responded
4 to the Complaint by filing a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) on March 14,
5 2022 (ECF No. 31);

6 WHEREAS, in response to Defendants’ motion to dismiss, Plaintiff filed a First Amended
7 Complaint on April 11, 2022 (ECF No. 36);

8 WHEREAS, Defendants intend to respond to the First Amended Complaint by filing a
9 motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6);

10 WHEREAS, the deadline for Defendants’ motion to dismiss pursuant to Fed. R. Civ. P.
11 15(a)(3) is April 25, 2022;

12 WHEREAS, due to travel and scheduling conflicts, Defendants seek a two-week extension
13 of the time to respond to the First Amended Complaint to May 9, 2022;

14 WHEREAS, pursuant to Local Rule 230(c) the deadline for filing an opposition to
15 Defendants’ motion to dismiss would be May 23, 2022;

16 WHEREAS, due to travel and scheduling conflicts, Plaintiff seeks a two-week extension of
17 time to file an opposition to Defendants’ motion to dismiss to June 6, 2022;

18 WHEREAS, Defendants will file their reply to Plaintiff’s opposition no later than ten (10)
19 days after the filing of Plaintiff’s opposition pursuant to Local Rule 230(d); and

20 WHEREAS, the hearing on Defendants’ motion to dismiss shall be set for June 30, 2022.

21 Accordingly, the parties hereby stipulate and agree as follows:

22 1. Defendants’ deadline to file a motion to dismiss in response to the First Amended
23 Complaint is May 9, 2022;

24 2. Plaintiff’s deadline to file an opposition to Defendants’ motion to dismiss is June 6,
25 2022;

26 3. Defendants’ deadline to file a reply to Defendants’ motion to dismiss is June 16, 2022;
27 and

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1 4. The hearing on Defendants' motion to dismiss shall be set for June 30, 2022.

2 **IT IS SO STIPULATED.**

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4 Dated: April 25, 2022

5 By: /s/ Robert D. Swanson
6 ROBERT D. SWANSON

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14 Dated: April 25, 2022

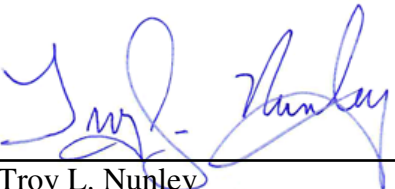
15 By: /s/ Nimish R. Desai
16 NIMISH R. DESAI (as authorized on 4/21/22)

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Attorneys for Plaintiff-Relator Jack Waters

25
26 **IT IS SO ORDERED.**

27 Dated: April 25, 2022

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Troy L. Nunley
United States District Judge